

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

JOSEPH TAYLOR

*Plaintiff,*

v.

WEXFORD HEALTH SOURCES, INCORPORATED,  
WILLIAM K. MARSHALL III, in his official capacity as  
Commissioner of the West Virginia Division of  
Corrections and Rehabilitation, and WEST VIRGINIA  
DIVISION OF CORRECTIONS AND  
REHABILITATION,

*Defendants.*

Civil Action No. 2:23-cv-00475

**DECLARATION OF JOSEPH TAYLOR**

Pursuant to 28 U.S.C. § 1746, I, Joseph Taylor, hereby declare:

1. My name is Joseph Taylor. I am thirty years old, and I live in Clendenin, West Virginia, a small town right next to the Elk River.
2. I am diagnosed with severe Opioid Use Disorder (“OUD”) and have struggled with opioid addiction for nearly half my life.
3. My drug use started when I was fifteen. I was in a bad car accident then. On impact, the car’s airbag inflated to protect me from going through the front window. The airbag caused both of my thumbs to bend fully backwards, directly toward my chest when they should have been sticking straight up. I had surgery to repair both of my thumbs.

4. At the time of the accident, I had never used illegal drugs or drank alcohol. My life then revolved around playing guitar, especially Hank Williams and Johnny Cash songs, riding four-wheelers with my friends, and spending time my family, especially my little sister.

5. The pain from the accident and surgery was intense, and my surgeon prescribed me Percocet 10mg pills.

6. These prescription pills immediately made the pain from the car accident and surgery go away. At the time, I did not know how dangerous painkillers were. I soon found out.

7. Towards the end of my prescription, the Percocet was starting to lose its pain relief effect. After I finished this prescription, I needed more pain pills and at a higher dosage level. So I went to the emergency room to get more pills but was turned me down. I then went back to my surgeon, and he gave me small prescription for Roxicodone, The doctor said, "I don't normally give much more for pain, but I'll give you a little something." The "little something," the Roxicodone, was much stronger than the Percocet pills and is what started me down the path of heroin addiction.

8. As soon as I finished the Roxicodone prescription, I was despondent. I did not feel normal. I was off. So I soon started buying pain pills from my friends and other people I knew in my town. Clendenin has been hit hard by the opioid crisis and buying pain pills was very easy then. Everyone had them.

9. By sixteen, I was taking three or four Roxicodone pills a day, and soon needed up to ten pills a day just to feel okay. This pill addiction was expensive and exhausting to maintain. Even though I was taking more powerful pills than before, I still could not get the same feeling I initially had from the Percocet pills directly after the car accident.

10. Around the time I turned seventeen, I switched to using heroin. It was much cheaper and easier to get. I was skipping school to buy and use drugs, and soon dropped out of high school. By this time, my need for drugs had taken full control over my life. I have struggled with heroin addiction since.

11. My OUD has almost killed me. I have overdosed at least four times and had to be revived with naloxone. Even though I knew the dangers, I could not stop myself from using heroin then because my drug cravings were overwhelming. I knew how bad it was, but I didn't care – I couldn't stop.

12. Before being treated with Suboxone, I would wake up each morning with one thought: making sure I would not get sick from heroin withdrawal. This meant needing to find heroin to feel better and then feeling regret and remorse once I did. It was a terrible and self-destructive cycle.

13. I am not the only person in my family who has struggled with substance use problems. My little sister was my best friend. We were so close. She died from an opioid overdose at the age of nineteen. I was twenty-two when she died. My mother has also struggled with addiction for most of my life. She is now four years sober. I am very proud of her.

14. I began medication-based treatment for my opioid addiction around 2018. I first started buying Suboxone on the street because I wanted to get sober. It was helpful and led me to enroll in a Suboxone treatment program at Mountain State Recovery in Charleston, West Virginia.

15. Suboxone made a huge difference right away. It was effective at reducing my heroin cravings and managing my addiction.

16. Suboxone has allowed me to start living a meaningful and rewarding life. This medicine means I can devote time to my beautiful wife and the three sons she and I are raising together, as well as work at local restaurants. I am proud of what we have as a family.

17. Suboxone has saved my life. Without Suboxone, I would be dead from a heroin overdose. This medicine is keeping me alive. I need it.

18. Although I have relapsed on a few occasions since starting Suboxone treatment, these relapses have been brief and were the result of my dosage not being high enough to fully suppress my opioid craving, not being able to pick up my prescription, or having my treatment interrupted by being incarcerated.

19. My experience being incarcerated in West Virginia is that unless you are pregnant you don't get your addiction medication. Every time I've been incarcerated since starting Suboxone treatment, I have been denied my Suboxone prescription. I do not believe that I will be able to continue my Suboxone prescription once I go to prison in about one month. I am extremely worried about the painful forced withdrawal that will happen then and that my dreaded drug cravings will return.

20. The pain from Suboxone withdrawal is much worse than from heroin. It includes extreme aches, sweats, restlessness, insomnia, shaking, constant diarrhea, an inability to eat, nightmares, hallucinations, and the return of intense opioid cravings that become stronger the longer I am without my medication. The agony of going through Suboxone withdrawal is very difficult to fully describe to people who have not experienced it.

21. I was receiving Suboxone treatment in the months leading up to my recent detention at the Central Regional Jail in Sutton, West Virginia. I was held for about eight weeks at the Central Regional Jail. That is, from January 2, 2023, through the middle of March 2023.

22. While at the Central Regional Jail, I repeatedly asked the medical staff for Suboxone. I kept telling medical and security staff that I am addicted to opioids, that Suboxone stops my opioid cravings, that I feared I would use illegal opioids if I did not receive my doctor prescribed Suboxone, and that I was being forced to go through an extremely painful withdrawal. My Suboxone prescription is from Cabin Creek Health Center in Clendenin and I told the medical staff that they should contact this clinic.

23. I asked for my doctor prescribed Suboxone during intake and again daily during the first weeks I was incarcerated. Despite my repeated requests, I was not given Suboxone or any other Medications for Opioid Use Disorder (“MOUD”) at any point during the time I was incarcerated at the Central Regional Jail.

24. My withdrawal symptoms started my first day there. I started getting sweats. The pain started the second day. I had heart palpitations, muscle spasms throughout my whole body, severe pain in my neck and upper body, tremors, anxiety, constant diarrhea, shakes, an inability to sleep, and scary drug hallucinations. Worse, my opioid cravings had returned. I would lay at night and dream of heroin; I could taste it in my mouth.

25. While at the Central Regional Jail, I filed a grievance form and wrote “I need to see the doctor about my Suboxone medication.” I said I was in withdrawal and offered only some over the counter medications that were about as effective as trying to fix a broken arm with a Tylenol. A few days later, a jail doctor came to see me and said, “I don’t care who your doctor was, I’m your doctor now and I’m not giving you Suboxone.” When she said that I was devastated. I gave up hope.

26. I then began looking for drugs in the jail. I wanted to use so badly. I knew that if I did, I might die from an overdose because without Suboxone in my body, my tolerance was so low. My drug cravings were so strong that I didn't care if I died.

27. My experience at the Central Regional Jail was awful. The withdrawal was unbearable and without Suboxone I craved opioids day and night. I was scared then—and still am—because each time my OUD treatment is interrupted, it gets more difficult to stabilize afterward and get back on the path of recovery.

28. After being released from Central Regional Jail, I relapsed immediately. I almost died. I am lucky to be alive.

29. I have lost many friends to opioid overdose deaths. I feared that without Suboxone I would become one of them. So soon after relapsing, I went back to the Cabin Creek Clinic and resumed treatment.

30. I am still being treated with Suboxone and am doing well. I have a job and am taking care of my family. I am going to be sentenced on July 10, 2023. Per my plea agreement, I could face up to five years' incarceration. I am terrified that I will not be provided Suboxone when I am incarcerated again. Without Suboxone, the painful withdrawal symptoms and intense opioid cravings will return. I am very worried that I will use opioids again and that I will overdose and die.

31. It has been very difficult for me to get to this point in my OUD recovery. I am terrified that all my progress will be undone if a West Virginia jail or prison terminates my Suboxone treatment. The times I was forced off Suboxone while incarcerated were the worst of my life. I am scared that upon incarceration next month I will be forced to go through this pain and misery again.

32. What keeps me up at night now is my fear of relapsing when I get to prison. The pain of withdrawal is so intense that I worry I may seek opioids while incarcerated just to stop this suffering. Any relapse could kill me. I cannot bear the thought of that happening because I want to be there for my wife and be a role model for our sons.

33. As I await sentencing, I am constantly worried about what will happen to my wife, to our sons, and to me if I start using again because I am denied Suboxone while in prison. I want to be there for them. I don't want to die.

34. David Howard Sinkman and Amelia Caramadre have read this declaration to me verbatim. I declare under penalty of perjury that the contents of this declaration are true and correct.

Executed on: May 31, 2023  
Elk River, West Virginia

A handwritten signature in dark ink, appearing to read "Joseph Taylor", written over a horizontal line.

Joseph Taylor